

REMARKS/ARGUMENTS

This Amendment and Response is responsive to the Office action dated October 12, 2006, setting forth a shortened three-month statutory period for reply with a three-month extension of time expiring on April 12, 2007. This response is submitted on April 12, 2007; thus, a petition and fee for a three-month extension of time accompany this Amendment and Response.

The Assignee thanks the Examiner for reviewing this application and issuing an Office action.

Prior to entry of this Amendment and Response, claims 1-26 are pending in the application, with claims 1, 14, 17, and 20 being independent claims. In this Amendment and Response, claims 1, 4, 10, 12, 14, 17, 20, and 22-24 are amended, claims 2-3, 11, 13, 16, 18-19, 21 and 26 are cancelled, and claims 27-32 are added. Accordingly, after entry of this Amendment and Response, claims 1, 4-10, 12, 14-15, 17, 20, 22-25, and 27-32 are pending, with claims 1, 12, 14, 17, 20, and 24 being independent claims.

I. Claim Objections

The Examiner objected to the claims under 37 C.F.R. § 1.126 for being numbered incorrectly because the number "4" was used twice in the claims. The Examiner renumbered the second "4" to "5" and all subsequent claim numbers accordingly. The Examiner also renumbered the independent claims referenced in the dependent claims to correspond to the newly numbered claims. The listing of claims reflects the Examiner's renumbering.

II. Claim Rejections under 35 U.S.C. § 112

a. First Paragraph Rejections

Claims 1-26 are rejected under 35 U.S.C. § 112, 1st paragraph, for failing to comply with the enablement requirement. With reference to Fig. 30, the Examiner asserts that both top ends of the cross-members for scissor jacks are secured to the frame, and there is no track on the underside of the top frame. Thus, the Examiner concludes the scissor jacks are unable to be moved to their retracted positions. In particular, the Examiner points to U.S. Pat. No. 6,974,123 issued to Latvys (hereinafter "Latvys") as showing an operable scissor jack since one leg (or

pair of legs) is secured to the top frame and the other leg (of pair of legs) is free to slide relative to the top frame. For at least the following reasons, the Assignee respectfully disagrees with these rejections.

The Assignee draws the Examiner's attention to the following passages from paragraphs [0071], [0072], and [0074]:

[0071] ... When the trailer 124 is placed in its extended position and properly aligned with the oil rig substructure 104, it may be attached thereto. Further, the free ends of the scissor jacks 140 are typically pinned in place on the bottom and, optionally, top frames 136, 138.

...

[0072] Generally, the opposite ends of each separate jack 140 member, located vertically over one another, are pinned. By contrast, the jack's 140 opposing ends are free to move during raising and lowering, which allows the top 138 and bottom 136 frame members of the trailer 124 to stay relatively in position with one another (i.e., with the upper frame aligned directly over the lower frame).

...

[0074] ... At this point, the trailer 124 is ready to convert to the collapsed position. The trailer must be disengaged from the substructure 104 prior to collapsing. This is done by unpinning the scissor jack 140 legs, then lowering the top frame 138 of the trailer to disengage the aforementioned beam guide 158 ...

(emphasis added). One skilled in the art would understand from these passages, among others, that the top free ends of the scissor jacks may, or may not, be pinned to the top frame. Since pinning to the top frame (as expressly set forth in the written description) is optional, both top ends of the scissor jack members are not necessarily secured to the frame as asserted by the Examiner. Thus, when unsecured to the top frame as described in the specification, the upper free end of the scissor jack members can slide relative to the top frame.

From at least the above-identified passages, one skilled in the art would further understand that the top free end of a scissor jack member may be positioned vertically above the bottom free end of another scissor jack member. Thus, one skilled in the art would realize that each scissor jack member may have one end secured to either the top or bottom frame (i.e., a "pinned end") and an opposite end selectively secured to either the top or bottom frame (i.e., a "free end"). One skilled in the art would also recognize that by selectively unpinning (i.e., unsecuring) the "free ends" of the scissor jack members from the top and bottom frames, the scissor jacks have fixed and free ends similar to the scissor jack depicted in Latvys, which would allow each scissor jack to move from an extended to a retracted position.

Yet further, one skilled in the art would understand that "unpinning the scissor jack legs" means unpinning any pinned connections between the scissor jack members and the bottom and top frames at the free ends of the scissor jack members. Accordingly, one skilled in the art would recognize that if the top free ends of the scissor jack members are pinned to the top frame, which is optional, then the pins or other elements forming the pinned connections require removal prior to moving the scissor jacks to a retracted configuration. Finally, one skilled in the art would recognize that once the free ends of the scissor jack members were unpinned from the top and bottom frames (i.e., at the ends of each member vertically positioned apart from each other), the scissor jacks may be moved using the hydraulic cylinders from the extended position shown in Fig. 28 to the retracted position shown in Fig. 27.

With respect to the tracks, the tracks may be used to maintain the laterally offset positions relative to the top and bottom frames of the scissor jack members for axially aligned scissor jacks to prevent these members from interfering when collapsing the scissor jacks to their retracted positions. (See, e.g., Fig. 25 and paragraph [0077]). One skilled in the art would understand from the depicted construction of the scissor jacks that such tracks could be provided at the top, at the bottom, or at the top and the bottom of the free ends of the scissor jack members to perform this function. More particularly, the x-bracing between the scissor jack members, as shown, for example, in Fig. 28, maintains the members lateral alignment relative to each other. Thus, a track at only the bottom end of the scissor jack member (although a track could also be provided at the top end if desired) is sufficient to maintain the lateral positions of the scissor jack members relative to the top and bottom frames.

Fig. 25 shows an example of tracks for maintaining the lateral position of the scissor jack members relative to the top and bottom frames. One skilled in the art would recognize that

these depicted tracks, or similar tracks, may be provided on the bottom frame, as shown in Fig. 30, on the top frame, or on the top and bottom frames. Further, one skilled in the art would understand that placing the tracks on the bottom frame, and not on the top frame, as shown, for example, in Fig. 30, would be adequate to prevent both the upper and lower free ends of the members of a scissor jack from interfering with the members of other scissor jacks.

Accordingly, for at least the above reasons, the Assignee respectfully submits that one skilled in the art would understand from the specification that any pins, or other members, securing the free ends of the scissor jack members to the top frame would require removal prior to moving the scissor jacks to a retracted position. Further, the Assignee respectfully submits that one skilled in the art would understand that the scissor jacks may be moved using the hydraulic cylinders from the extended position shown, for example, in Figs. 3 and 28 to the retracted position shown, for example, in Figs. 5 and 27 once the pins or members securing the free ends of the scissor jacks to the top and bottom frames were removed. Yet further, the Assignee respectfully submits that one skilled in the art would recognize that tracks for preventing the scissor jacks from interfering with each other would only be required at either the bottom or the top of the scissor jacks, although they could be provided at both the top and bottom if desired. Thus, for at least the above reasons, the Assignee respectfully submits the written description and figures enable one skilled in the art to make or use the invention, and thus respectfully requests the Examiner withdraw his rejections of the claims as not complying with the enablement requirement.

b. Second Paragraph Rejections

Claims 14-16 are rejected under 35 U.S.C. § 112, 2nd paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that applicant regards as the invention. The Examiner asserts that it is unclear what "support" refers to in the last line of claim 14. The Examiner speculates that "support" may be the kingpin 130. For at least the following reasons, the Assignee respectfully disagrees with these rejections.

The "support" referred to in claims 14 and 15 may be the support brace 190 (see Fig. 8), the body of the oil rig mast, or any other structure providing a physical connection between the truck and the mast dolly for the truck to move the mast dolly. The Assignee draws the Examiner's attention to Fig. 8 and paragraphs [0088] and [0089]. In Fig. 8, a support brace 190 is shown as connecting the mast support 186 to the mast dolly 128. As described in paragraphs [0088] and [0089], the support brace 190 may provide additional structural rigidity to the mast to

permit a truck operatively associated with the mast support to tow the mast dolly. As further described in these paragraphs, the mast itself may provide sufficient integrity to act as a support, link, or other physical connection between the truck and the mast dolly. One skilled in the art would understand from at least Fig. 8 and paragraphs [0088] and [0089] that the support referred to in claims 14 and 15 may be either the support brace 190, the body of the mast, a combination of the body of the mast and the support brace 190, or any other structure providing a physical connection between the truck and the mast dolly. Accordingly, the Assignee respectfully submits, for at least the foregoing reasons, that one skilled in the art would understand in light of the specification what constitutes a “support” as used in the claims 14 and 15, and thus respectfully requests the Examiner withdraw the rejections to these claims for being indefinite.

Claim 16 is cancelled, thus rendering the Examiner’s rejection to it under 35 U.S.C. § 112 moot.

III. Claim Rejections under 35 U.S.C. § 102

Claims 17 and 18 are rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Pat. No. 4,569,168 issued to McGovney et al. (hereinafter “McGovney”). For at least the following reasons, the Assignee respectfully disagrees with these rejections.

Although the Assignee disagrees with the Examiner’s rejection of claim 17, claim 17 is amended to include all limitations of dependent claim 19, which depended directly from claim 17, to expedite the issuance of claims indicated as allowable. The Examiner indicated claim 19 is allowable if the 35 U.S.C. § 112 rejections are overcome and if the claim is rewritten to include all limitations of its base claim and any intervening claims. For at least the reasons discussed in more detail in Section II, the Assignee respectfully submits the 35 U.S.C. § 112 rejections are traversed. Since claim 19 is rewritten into independent form by amending claim 17 to include the limitations of claim 19, the Assignee respectfully submits amended claim 17 is allowable and respectfully requests the Examiner withdraw the rejection and allow the claim.

Although the Assignee disagrees with the Examiner’s rejection of claim 18, claim 18 has been cancelled to expedite issuance of the claims indicated as allowable. Thus, the Examiner rejection of claim 18 is moot. The Assignee reserves the right to prosecute originally filed claims 17 and 18 in a continuation or other application claiming priority to this application.

IV. Claim Rejections under 35 U.S.C. § 103

Claims 1-5, 10, 11 and 20-21 are rejected under 35 U.S.C. § 103(a) as unpatentable over McGovney and U.S. Pat. No. 4,684,314 issued to Luth (hereinafter "Luth"). Claim 6 is rejected under 35 U.S.C. § 103(a) as unpatentable over Luth and McGovney in view of U.S. Pat. No. 4,290,495 issued to Elliston. Claim 7 is rejected under 35 U.S.C. § 103(a) as unpatentable over Luth and McGovney in view of U.S. Pat. No. 4,368,602 issued to Manten. Claims 8 and 9 are rejected under 35 U.S.C. § 103(a) as unpatentable over McGovney in view of Luth and in further view of U.S. Pat. No. 6,460,468 issued to Mobley. Claim 22 and 23 are rejected under 35 U.S.C. § 103(a) as unpatentable over McGovney in view of Luth, U.S. Pat. No. 4,591,006 issued to Hutchinson et al., and U.S. Pat. No. 4,021,978 issued to Busse. Claims 14 and 15 were not examined because of indefiniteness. For at least the following reasons, the Assignee respectfully disagrees with these rejections.

Although the Assignee disagrees with the Examiner's rejection of claim 1, claim 1 is amended to include all limitations of claim 13 and of intervening claims 2, 3, and 11 in order to expedite issuance of claims indicated as allowable. The Examiner indicated claim 13 is allowable if the 35 U.S.C. § 112 rejections are overcome and if the claim is rewritten to include all limitations of its base claim and any intervening claims. For at least the reasons discussed in more detail in Section II, the Assignee respectfully submits the 35 U.S.C. § 112 rejections are traversed. Since claim 13 is rewritten into independent form by amending claim 1 to include the limitations of claim 13 and its intervening claims, the Assignee respectfully submits amended claim 13 is allowable and respectfully requests the Examiner withdraw the rejection and allow the claim.

Although the Assignee disagrees with the Examiner's rejection of claim 14, claim 14 is amended to include all limitations of claim 16, which depends directly from claim 14, in order to expedite issuance of claims indicated as allowable. The Examiner indicated claim 16 is allowable if the 35 U.S.C. § 112 rejections are overcome and if the claim is rewritten to include all limitations of its base claim and any intervening claims. For at least the reasons discussed in more detail in Section II, the Assignee respectfully submits the 35 U.S.C. § 112 rejections are traversed. Since claim 16 is rewritten into independent form by amending claim 14 to include the limitations of claim 16, the Assignee respectfully submits amended claim 14 is allowable and respectfully requests the Examiner withdraw the rejection and allow the claim.

Although the Assignee disagrees with the Examiner's rejection of claim 20, claim 20 is amended to include all limitations of claim 26 and of intervening claim 21 in order to expedite issuance of claims indicated as allowable. The Examiner indicated claim 26 is allowable if the 35 U.S.C. § 112 rejections are overcome and if the claim is rewritten to include all limitations of its base claim and any intervening claims. For at least the reasons discussed in more detail in Section II, the Assignee respectfully submits the 35 U.S.C. § 112 rejections are traversed. Since claim 26 is rewritten into independent form by amending claim 20 to include the limitations of claim 26 and its intervening claim, the Assignee respectfully submits amended claim 20 is allowable and respectfully requests the Examiner withdraw the rejection and allow the claim.

Claims 4-10, 15, and 22-23 depend from either independent claim 1, 12, 14 or 20. Since each claim properly depends, either directly or indirectly, from a patentably distinct independent claim as described above or in Section V below, the dependent claims are themselves patentable. Accordingly, the Assignee respectfully requests the Examiner allow these claims. The Assignee makes this statement without reference to or waiving the independent bases of patentability within the dependent claims.

Although the Assignee disagrees with the Examiner's rejections, claims 2-3, 11, and 21 are cancelled to expedite issuance of claims indicated as allowable, thus rendering the Examiner's rejections to them moot. The Assignee reserves the right to pursue claims 1-11, 14-15, and 20-23 as originally filed in a continuation or other application claiming priority to this application.

V. Allowable Claims

The Assignee thanks the Examiner for indicating claims 12, 13, 16, 19, and 24-26 are allowable if the rejections under 35 U.S.C. § 112 are overcome and the claims are rewritten into independent form and include all limitations of their base claim and any intervening claims. For at least the reasons set forth in Section II, the Assignee respectfully submits the 35 U.S.C. § 112 rejections are overcome. Further, claim 12 is rewritten into independent form and includes all limitations of base claim 1 and intervening claims 2, 3, and 11. Similarly, claim 24 is rewritten into independent form and includes all limitations of base claim 20 and intervening claims 21 and 23. Accordingly, the Assignee respectfully submits claims 12 and 24 are allowable, and thus respectfully requests the Examiner withdraw the rejections and objections to these claims and allow them.

Claim 25 depends from independent claim 24. Since the claim properly depends from a patentably distinct independent claim, the dependent claim is patentable. Accordingly, the Assignee respectfully requests the Examiner allow this claim. The Assignee makes this statement without reference to or waiving the independent bases of patentability within the dependent claim.

As discussed above in Sections III and IV, the limitations of claims 13, 16, 19 and 26, and their respective intervening claims, have been incorporated into claims 1, 14, 17, and 20 respectively. Thus, claims 13, 16, 19 and 26 are cancelled, which renders the Examiner's objections and rejections to them moot.

VI. New Claims

Claims 27-32 are added to this application. Support for claims 27-31 may be found at least in Figs. 1, and 5-6, paragraphs [0064] and [0065], and originally filed claims 5-9. Support for claim 32 may be found at least in Fig. 1, paragraph [0054], and originally filed claim 22. Claims 27-32 depend from either independent claim 12 or 24. Since each claim properly depends, either directly or indirectly, from a patentably distinct independent claim, the dependent claims are themselves patentable. Accordingly, the Assignee respectfully requests the Examiner allow these claims. The Assignee makes this statement without reference to or waiving the independent bases of patentability within the dependent claims.

VII. Conclusion

After entry of the above listing of claims and remarks, claims 1, 4-10, 12, 14-15, 17, 20, 22-25, and 27-32 remain in the application. In accordance with the amendments and arguments set forth herein, the Assignee respectfully submits the application and all claims are in a condition for allowance, and requests such prompt allowance.

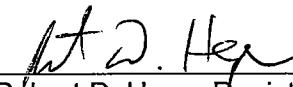
This Amendment and Response is filed with a Petition for a Three-month Extension of Time, and a request to charge Deposit Account No. 04-1415 for the extension of time in the amount of \$510.00, as well as \$200.00 for the fee for additional independent claims. The Assignee believes no further fees or petitions are due with this filing. However, should any such fees or petitions be required, please consider this as authorization therefor and please charge such fees to Deposit Account number 04-1415.

Application No. 10/769,370
Reply to Office Action of October 12, 2006

Should any issues remain that the Examiner believes may be dealt with in a telephone conference, he is invited to contact the undersigned at 303-629-3400.

Signed this 12th day of April, 2007.

Respectfully submitted,



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